

Good morning. My name is Bob Marshall. I am here today representing the Lakeville Cable Advisory Committee as its chairman. Thank you in advance for your time.

Verizon has requested that this commission make a ruling that forces all of the municipalities in the Commonwealth to finalize **their** license proposal within 90 days. Speaking for the Lakeville Cable Advisory Committee, I am here to say that, given our many years of experience negotiating and helping to govern such licenses with cable companies, it is impossible for us to complete a proper review of all of the items in a license proposal within that time frame. As you well know, such review is done by regular citizens on a volunteer basis who must balance this task with their everyday career and family schedules. Due diligence must be given in order to properly protect our citizen/subscriber rights. This takes time! As a committee and as a town, we have personal experience with this issue, having been forced to institute "breach of license" hearings with our then cable provider. If we had not taken the time to lock down the language **before** we signed that license we would not have had the procedures in place to address serious service problems. It took us time and many meetings to give the citizens/subscribers the kind of protection they have the right to expect. The devil is **always** in the details, and details take time to work out. 90 days is not nearly enough time to exorcise the devil from those details.

In their media release of March 16, 2006 "Verizon called for a shorter and more certain time frame for obtaining local franchises to offer video services" and that it "would affect **only**

the timing of local franchise decisions and does not address other aspects of the franchise process.” As a committee, we find this statement highly misleading. In negotiations of this type, time is everything! If we are boxed into a 90 day schedule for our review and negotiations, then we can be certain that Lakeville will be handcuffed into accepting a proposal that will not have been properly reviewed. The citizens and subscribers in our town stand to lose. As a small municipality, Lakeville depends on citizen volunteers to perform such reviews and negotiations and to advise our Board of Selectmen, our Issuing Authority. We would be working at a serious disadvantage when dealing with such a large entity as Verizon who seemingly has unlimited trained personnel and fiscal resources. If Verizon’s request is approved, what’s to prevent them from simply “sitting tight” on a sticking point and letting the clock “negotiate” for them? In our opinion, imposing a 90 day review limit ~~that allows Verizon to consume some or most of those 90 days~~ is patently unjust.

In Lakeville, as we suspect is true throughout the Commonwealth, our existing license with our current cable provider has “level playing field” language, which provides that all future licensees be obligated to provide similar services...in effect to be bound to similar obligations so as not to give one licensee more or fewer burdens and to establish a “level financial playing field” for all. We fear that, if Verizon’s truncated review and negotiation time frame forced us to surrender or overlook an important issue, our present cable provider might request to be released from those obligations to which Verizon would not be held. The resulting losses to

Lakeville, while presently unpredictable, clearly would be harmful to the town and to the subscribers.

We recently received a letter from Verizon, dated July 20, 2006, which states in part. "Verizon is eager to begin providing cable services in Lakeville..." Given our experiences with Verizon over the last sixteen months, we find this statement confusing at best. Our initial meeting with Verizon was in April of 2005. Niceties were exchanged and hopes for success for all were expressed. In August of 2005 we received Verizon's Form 100 to which we responded with our Issuing Authority Report. All seemed to be going well. Not so! In early December Verizon delivered their license proposal. After reviewing it in depth for over two months trying to understand their words and their intent, we were unsuccessful and frustrated. We found a number of commonly acknowledged definitions, long accepted in the industry or by law, to be either re-written or omitted. As a committee, individually and collectively, we spent many hours trying to understand the language and words in their proposal. In February of 2006, we responded to Verizon with a letter of concern, citing only a few of the specific examples of language we found "unclear, ambiguous, and (which) may be unnecessary." Clearly, there was a great need for us to talk further

The last line of our letter stated, "If you have any questions...please feel free to contact me...." etc. We waited...and waited...and waited. Almost five months to the day we waited

before we finally heard from Verizon in their July 20, 2006 correspondence. To us, this delay does not qualify as an example of a company who is "eager to begin providing cable service in Lakeville..." We were left to wonder: Why the lengthy delay? Looking at Verizon's attempts on the local, state, and national levels, to us, the reasons for the delay were crystal clear and very transparent. In our opinion, if allowed, Verizon's state and national efforts will crush the voices of the towns and cities across our state and our nation and give **them** an unfair advantage in the licensing process.

On a more positive note, within the last two weeks we have met with Verizon to begin discussions which we hope will lead to serious, fair-minded competition between Verizon and our current cable provider. As a matter of fact, we are scheduled to meet again *in coming weeks* ~~tomorrow~~ as well. As a town and a cable advisory committee, we remain hopeful, although, if Verizon request before this commission is allowed, I, for one, will **not** remain hopeful that the process will work as it was originally and properly envisioned.

You have received correspondence from our elected representatives, Senator Joan Menard and Representatives Stephen Canessa and John Quinn, expressing their opposition to Verizon's request and their support for our concerns. We thank them for their support and ask that you weigh their wisdom as well in your final considerations.

As a cable advisory committee and, I dare say, as a town, Lakeville is **excited** about the prospect of cable TV competition, but we desire **fair** competition, which requires both negotiating partners to come to the table as equals, each able to give and take as they will. That takes time, much more time than Verizon's 90 days would allow. We ask that you deny Verizon's petition. In our opinions, it serves only Verizon's interests and is not in the best interests of the citizens of Lakeville or the Commonwealth. The existing process of two interested parties sitting down to come to an agreement has worked well for over two decades. Please let it continue to work for the benefit of all.

On behalf of the Lakeville Cable Advisory Committee and the people of Lakeville, thank you for your attention to this very important matter.